

COPY *in opinion*

1955

December 14

NEW HAMPSHIRE LAW LIBRARY

SEP 22 1998

CONCORD, N.H.

Mr. C. W. Metcalf, Director  
Bureau of Health Education  
State Department of Health  
17 Capitol Street  
Concord, New Hampshire

Dear Sir:

You have inquired by your letter of December 8, 1955, the opinion of this office whether certain films loaned by your Department to various schools, hospitals and other organizations, may be insured against damage while being so loaned. RSA 9:27 specifically provides that "the funds of the state or any department or institution thereof shall not be used for providing for insurance of property owned by the state against loss by fire or other casualty" unless such insurance is specifically authorized by law. You have not called to my attention any specific authorization and I am unaware of any. In view of this it is my opinion that such insurance may not be purchased.

In order that the property of the State may be protected as well as possible it may be that your Department should consider obtaining from each borrower before delivery of the film an agreement to indemnify the State for damage done to the films beyond that caused by ordinary wear and tear.

Very truly yours,

Richard C. Duncan  
Assistant Attorney General

RCD/T